

NPS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

2006 OCT -3 AM 9:39

United States of America)

Magistrate's case number:

'06 mg 1815

VS.)


COMPLAINT FOR VIOLATION OF

Juan OCEGUERA-Herrera &)
Gricelda AVILA-Soto &)
Maria QUINTERO-Medina)
Defendant(s).)Title 21, United States Code
Section(s) 952 and 960 -
Importation of a Controlled
Substance (Felony);

The undersigned complainant being duly sworn states:

That on or about October 2, 2006, within the Southern District of California, defendant Juan OCEGUERA-Herrera, Gricelda AVILA-Soto and Maria QUINTERO-Medina did knowingly and intentionally import approximately 9.45 kilograms of Methamphetamine, a Schedule II Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts incorporated herein by reference.



Shane Hardin
Special Agent
Immigration & Customs Enforcement

Sworn to before me and subscribed in my presence this 3 day
of October, 2006.

UNITED STATES MAGISTRATE JUDGE



WILLIAM McCURINE, JR.
U.S. MAGISTRATE JUDGE

NAT

PROBABLE CAUSE STATEMENT

I, Special Agent Shane Hardin, declare under penalty of perjury, the following is true and correct:

On October 2, 2006, at approximately 1245 hours, Juan Carlos OCEGUERA-Herrera made entry into the United States via the San Ysidro, CA, Port of Entry from the Republic of Mexico as the driver of a 2000 Toyota Camry bearing Baja California license plate BDD3469. Two female passengers, Maria QUINTERO-Medina and Gricelda AVILA-Soto, accompanied OCEGUERA. OCEGUERA encountered a U.S. Customs and Border Protection (CBP) Officer in the primary inspection area. The CBP Officer closed his lane and escorted the vehicle into secondary for further inspection.

In Secondary Inspection, Officers inspected the vehicle with negative results. The Officers then conducted a physical patdown of the female passengers and noticed several hard packages shaped like bricks tucked inside a gurdle around the waist of both female passengers.

U.S. Immigration and Customs Enforcement (ICE) Special Agents read AVILA her Miranda Rights in the Spanish language from a pre-printed Miranda Rights form. AVILA stated she understood her Rights and was willing to answer questions. AVILA admitted knowing that she was smuggling narcotics but she wasn't sure which type of narcotics. AVILA stated that Juan Carlos OCEGUERA-Herrera offered to pay her and Maria QUINTERO-Medina \$2000 each to smuggle narcotics.

U.S. Immigration and Customs Enforcement (ICE) Special Agents read QUINTERO her Miranda Rights in the Spanish language from a pre-printed Miranda Rights form. QUINTERO stated she understood her Rights and was willing to answer questions. QUINTERO admitted knowing that she was smuggling narcotics but she wasn't sure which type of narcotics. QUINTERO stated that Juan Carlos OCEGUERA-Herrera offered to pay her but she wasn't sure of the amount. She believes it was around \$500.

U.S. Immigration and Customs Enforcement (ICE) Special Agents read OCEGUERA his Miranda Rights in the Spanish language from a pre-printed Miranda Rights form. OCEGUERA stated he understood his Rights and was willing to answer questions. OCEGUERA claims that he has no knowledge of the narcotics. He stated that he was simply taking the passengers into the U.S. to go shopping at Costco. He says that he doesn't know of any reason why QUINTERO and AVILA would say that they got the narcotics from him.

Shane H
W. McCurine, Jr.
WILLIAM McCURINE, JR.
U.S. MAGISTRATE JUDGE